

Appl. No. 09/965,998
Amdt. dated March 1, 2005
Reply to Office action of February 3, 2005

REMARKS/ARGUMENTS

Receipt of the Office action dated February 3, 2005, in which the Examiner restricted the claims into three groups, is hereby acknowledged.

Applicants elect to prosecute Group II designated by the Examiner as claims 2-3, 7-8, 17-18 and 23-26. Applicants respectfully traverse this restriction requirement. The Manual of Patent Examining Procedures (MPEP) states:

If the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions.

MPEP Section 803 (emphasis added). Applicants respectfully submit that there will be no additional burden on the Examiner to examine the entire application. In fact, the restriction the Examiner only alleges that the searches will be different, not that the different searches will be a serious burden, and therefore fails to present a *prima facie* case for the need for restriction. Moreover, the Examiner has already examined the entire case in the Office action dated July 1, 2004, and thus there is no tenable argument of a serious burden to a further examination of the case.

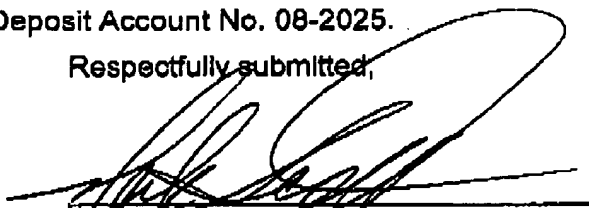
The Office action dated February 3, 2005 asserts that claims in Groups II and III require "display and Input of available drivers." Applicants respectfully traverse that claims in Groups II and III have these requirements. While illustrative claim 2 delineates "showing the operating system drivers residing on the ROM as filed stored on the virtual disk," it is neither expressly stated, nor implicitly required, that the available drivers are shown on a display device. The showing merely delineates where the operating system drivers appear to reside within the computer system. This position is buttressed by the specification which states, "Inasmuch as computer system 100 is preferably a server system 100, the computer system 100 may not have a dedicated display device." (Specification Paragraph [0024])

Applicants respectfully request reconsideration and that a timely Notice of Allowance be issued in this case. It is believed that no extensions of time or fees are required, beyond those that may otherwise be provided for in documents

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accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required (including fees for net addition of claims) are hereby authorized to be charged to Hewlett-Packard Development Company's Deposit Account No. 08-2025.

Respectfully submitted,



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